



Sen. Pamela J. Althoff

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LRB099 15568 AWJ 45812 a

1 AMENDMENT TO SENATE BILL 2202

2 AMENDMENT NO. _____. Amend Senate Bill 2202 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Municipal Code is amended by
5 changing Sections 11-19-2 and 11-19-5 as follows:

6 (65 ILCS 5/11-19-2) (from Ch. 24, par. 11-19-2)

7 Sec. 11-19-2. As used in this Division 19, the words
8 "garbage", "refuse", ~~and~~ "ashes", and "general construction or
9 demolition debris" have the following meanings: (1) "Garbage".
10 Wastes resulting from the handling, preparation, cooking and
11 consumption of food; wastes from the handling, storage and sale
12 of produce. (2) "Refuse". Combustible trash, including, but not
13 limited to, paper, cartons, boxes, barrels, wood, excelsior,
14 tree branches, yard trimmings, wood furniture, bedding;
15 noncombustible trash, including, but not limited to, metals,
16 tin cans, metal furniture, dirt, small quantities of rock and

1 pieces of concrete, glass, crockery, other mineral waste;
2 street rubbish, including, but not limited to, street
3 sweepings, dirt, leaves, catch-basin dirt, contents of litter
4 receptacles, but refuse does not mean earth and wastes from
5 building operations, nor shall it include solid wastes
6 resulting from industrial processes and manufacturing
7 operations such as food processing wastes, boiler-house
8 cinders, lumber, scraps and shavings. (3) "Ashes". Residue
9 from fires used for cooking and for heating buildings. (4)
10 "General construction or demolition debris" means
11 non-hazardous and uncontaminated materials resulting from the
12 construction, remodeling, repair, and demolition of utilities,
13 structures, and roads, limited to the following: bricks,
14 concrete, and other masonry materials; soil; rock; wood,
15 including non-hazardous painted, treated, and coated wood and
16 wood products; wall coverings; plaster; drywall; plumbing
17 fixtures; non-asbestos insulation; roofing shingles and other
18 roof coverings; reclaimed or other asphalt pavement; glass;
19 plastics that are not sealed in a manner that conceals waste;
20 electrical wiring and components containing no hazardous
21 substances; and corrugated cardboard, piping or metals
22 incidental to any of those materials. "General construction or
23 demolition debris" does not include garbage, refuse, or ashes.

24 (Source: Laws 1961, p. 576.)

1 Sec. 11-19-5. Regulation of methods of disposal.

2 (a) Every city, village or incorporated town may provide
3 such method or methods as shall be approved by the corporate
4 authorities for the disposition of garbage, refuse and ashes.
5 Any municipality may provide by ordinance that such method or
6 methods shall be the exclusive method or methods for the
7 disposition of garbage, refuse and ashes to be allowed within
8 that municipality. Such ordinance may be enacted
9 notwithstanding the fact that competition may be displaced or
10 that such ordinance may have an anti-competitive effect. Such
11 methods may include, but need not be limited to land fill,
12 feeding of garbage to hogs, incineration, reduction to
13 fertilizer, or otherwise. Salvage and fertilizer or other
14 matter or things of value may be sold and the proceeds used for
15 the operation of the system. Material that is intended or
16 collected to be recycled is not garbage, refuse or ashes.

17 (b) On and after the effective date of this amendatory Act
18 of the 99th General Assembly:

19 (1) the corporate authorities may not dispose of, or
20 approve of the disposal of, general construction or
21 demolition debris in the same manner as garbage, refuse,
22 and ashes and shall require that general construction or
23 demolition debris be disposed of in a manner to encourage
24 competition, reduce cost, and increase recycling and reuse
25 of those materials. This subsection (1) shall not apply to
26 any contracts entered into before the effective date of

1 this amendatory Act of the 99th General Assembly; and
2 (2) the corporate authorities shall not enter into,
3 renew, or extend a contract that provides for an exclusive
4 method or methods of disposition of garbage, refuse, and
5 ashes which requires general construction or demolition
6 debris to be disposed of in the same manner as garbage,
7 refuse, and ashes, unless such contract meets the
8 requirements of paragraph (1) of this subsection (b).

9 (Source: P.A. 84-794.)

10 Section 99. Effective date. This Act takes effect upon
11 becoming law."